

## **Exhibit 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re : :

SKAT TAX REFUND SCHEME LITIGATION : Master Docket 18-md-2865 (LAK)  
ECF Case

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**NOTICE TO TAKE DEPOSITION OF SKATTEFORVALTNINGEN**

Please take notice that, pursuant to Federal Rule of Civil Procedure 30(b)(6), Defendants listed on Schedule B, appended hereto, will take the deposition upon oral examination of Plaintiff Skatteforvaltningen (“SKAT”) on the matters listed in the attached Schedule A, on December 22 and December 23, 2020, or such other date as agreed to by the parties or ordered by the Court, commencing at 9:00 am and continuing from day to day thereafter until completed. The deposition will be taken before a court reporter authorized by law to administer oaths for use in the above litigation as provided in the Federal Rules of Civil Procedure. The deposition shall be recorded by stenographic and videotape methods, as well as Live Note.

Dated: November 13, 2020

S/ Mark D. Allison

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CAPLIN & DRYSDALE, CHARTERED  
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*Lead Counsel for Defendants*

**SCHEDULE A****DEFINITIONS**

Notwithstanding any definition set forth below, each word, term, or phrase used in this Schedule is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern District of New York. As used in this Schedule, the following terms are to be interpreted in accordance with these definitions:

1.     **“Claims”** means any dividend withholding tax refund claims that any Defendant Pension Plan submitted to SKAT, including but not limited to the dividend withholding tax refund claims that the Payment Agent(s) submitted to SKAT on behalf of the any Defendant Pension Plan, whether such claim is the subject matter of SKAT’s Complaints or the payment of which was denied by SKAT.
2.     **“Complaints”** means the Complaints or Amended Complaints in the matters listed in Schedule B.
3.     **“Dividend-arbitrage trading”** means the trading of securities to capture the dividend payment.
4.     **“Dividends”** means the dividends identified in the Claims concerning the Shares.
5.     **“Defendant Pension Plan”** means any pension plan named as a defendant in the actions listed in Schedule B.
6.     **“Refunds”** means any amounts of the withholding tax paid by SKAT pursuant to any Claims.
7.     **“Relevant Time Period”** refers to the time period from March 1, 2005 to present.
8.     **“Shares”** means the shares of Danish stock identified in the Claims.

9. “SKAT” refers to the Customs and Tax Administration of the Kingdom of Denmark, including its predecessors and successors, and its representatives, attorneys, agents, servants, employees, investigators, consultants, and counsel (including but not limited to Kammeradvokaten).

10. “SOIK” refers to the Danish Public Prosecutor for Serious Economic and International Crimes, including its predecessors and successors, and its representatives, attorneys, agents, servants, employees, investigators, consultants, and counsel.

11. “You,” “Your” and “Yourself” refer to the party or non-party to whom the following discovery requests are addressed, and to such party or non-party’s representatives, agents, servants, employees, investigators, consultants, and counsel.

### **INSTRUCTIONS**

In addition to the requirements set forth in the Federal Rules of Civil Procedure, the following instructions apply to each of the deposition topics set forth herein:

1. Each topic shall be construed independently, and no topic shall be viewed as limiting the scope of any other topic.
2. If You object to a portion or aspect of a deposition topic, state the grounds for Your objection with specificity.
3. Unless otherwise specified, the time period for all matters is March 1, 2005 to the present.

### **AREAS OF DESIGNATION AND INQUIRY**

You are required pursuant to Rule 30(b)(6) to produce one or more person or persons who consent to testify on Your company’s behalf, to testify to all facts known or reasonably available to Your company concerning the matters identified below.

1. The factual basis for allegations in the Complaints and the complaints filed by

SKAT in the High Court of Justice Business and Property Court of England and Wales, captioned *Skatteforvaltningen (the Danish Customs and Tax Administration) v. Solo Capital Partners LLP et al.*, Claim Nos. CL-2018-000297, CL-2018-000404, CL-2018-000590, and CL-2019-000487 (High Ct. of Justice, Bus. & Prop. Cts. of England & Wales).

2. SKAT's policies, procedures, practices, protocols, or processes for processing, reviewing, approving or denying, and paying dividend withholding tax refunds and/or claims during the Relevant Time Period. This Topic should be understood to include, but not be limited to, any modifications made to the relevant policies, procedures, practices, protocols, or processes during the relevant time period; written policies and procedures governing that process; and personnel responsible for that process.

3. Standards, rules, and protocols governing the entitlement to dividend withholding tax refunds, including but not limited to standards, rules, and protocols for determining ownership of shares and entitlement to dividends.

4. SKAT's system(s) for verifying ownership of shares, receipt of dividends, and withholding of taxes paid for purpose of assessing entitlement to dividend withholding tax refunds.

5. The factual basis for any allegation that any Defendant Pension Plan was not the owner (including the beneficial owner) of the shares in a Danish company for which a dividend reclaim application was submitted.

6. The factual basis for any allegation that any Defendant Pension Plan never received and was not the beneficial owner of any dividend from a Danish company in respect of whose shares the Defendant Pension Plan submitted an application for dividend tax reclaim.

7. SKAT's controls related to the collection and/or payment of withheld tax refunds and/or claims.

8. The volume of dividend withholding tax refunds and/or claims processed by SKAT between 2010 and 2015, including but not limited to the total number of claims submitted, the number of claims approved, and the number of claims denied, and the reasons why claims may have been approved or denied.

9. The dividend withholding tax collected by SKAT in connection with each of the dividends declared by the publicly traded Danish companies identified in RFP No. 18 of Defendants' Second Set of RFPs to SKAT at their Annual General Meetings held on the dates listed in that RFP.

10. All investigations, reports, audits, or analyses drafted or conducted by or on behalf of SKAT or the Ministry of Taxation regarding the payment of dividend withholding taxes by listed Danish companies to SKAT and dividend withholding tax refunds paid to any claimants, including but not limited to the *Rigsrevisionen* report of SKAT's 2015 investigation of SKAT and the Ministry of Taxation's roles in the administration of dividend withholding tax refunds,<sup>1</sup> internal audit reports regarding the dividend withholding tax,<sup>2</sup> and the catalog produced in 2006 with suggestions on how the holes in the dividend tax could be closed ("Problemkatalog"),<sup>3</sup> as well as any remedial or other actions taken in response to any such investigation, report, audit, or analysis.

11. Any "early warning" issued by SKAT to the Ministry of Taxation regarding SKAT's payment of dividend withholding tax refunds, any application of or decision not to apply any such early warning, and any response thereto by the Ministry of Taxation.

12. Communications between employees or representatives of SKAT and employees

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<sup>1</sup> See SKAT\_MDL\_001\_0075124.

<sup>2</sup> See SKAT\_MDL\_001\_00280953 (2001); SKAT\_MDL\_001\_00281008 (2002); SKAT\_MDL\_001\_00281025 (2006); SKAT\_MDL\_001\_00281058 (2010); and SKAT\_MDL\_001\_00281103 (2012, 2013); and SKAT\_MDL\_001\_0075835 (2015).

<sup>3</sup> See <https://www.dr.dk/nyheder/penge/udbytteskandale-kunne-formentlig-vaere-undgaaet-loesningskatalog-laa-klar->

or representatives of any arm of the Danish government, including but not limited to the Ministry of Taxation and SOIK, regarding SKAT's payment of dividend withholding tax refunds and/or claims.

13. Communications between employees or representatives of SKAT and employees or representatives of any arm of the United States government, including but not limited to the United States Internal Revenue Service, regarding the Plans and/or the Claims.

14. Agreements between SKAT and any arm of the Danish government, including but not limited to the Ministry of Taxation and SOIK, regarding SKAT's authority to bring claims on behalf of any arm of the Danish government regarding the payment of dividend withholding tax refunds and/or claims to U.S. pension plans or tax-exempt organizations, as defined by Section 501(c)(3) of the Internal Revenue Code.

15. Communications between SKAT and foreign government officials (including but not limited to representatives of foreign governments, foreign regulators, foreign tax officials, and foreign criminal authorities) concerning dividend-arbitrage trading, including but not limited to dividend-arbitrage trading as a method of tax evasion or avoidance, proposals to curb or prohibit dividend-arbitrage trading, and potential damages caused by dividend-arbitrage trading.

16. SKAT's ownership, possession, authority, or control over revenues received through the assessment and collection of taxes.

17. SKAT's transfer or distribution of revenues received through the assessment and collection of taxes to any arm of the Danish government.

18. All investigations, reports, or analyses, formal or informal, drafted or conducted by or on behalf of SKAT regarding any Defendant's ownership or beneficial ownership of shares in any Danish company.

19. The factual basis for the allegations in the Complaints that SKAT discovered in June 2015 that claimants may have submitted allegedly fraudulent tax refund claims.

20. The factual basis for the reporting by SKAT to SOIK of the “alleged fraud” on or about August 24, 2015.

21. The rationale and process for revoking the prior approval of the Defendants’ dividend withholding tax claims and mechanism for enforcing that revocation.

22. The factual basis for any assertion in a Complaint that any Defendant Pension Plan “did not meet the criteria for a qualified pension plan set forth in section 401(a) of the Internal Revenue Code and purportedly carried on debt-financed activities in breach of the Treaty’s prohibition on such activities by a pension plan.”

23. The factual basis for any allegation that a Defendant Pension Plan “cannot have obtained funding from a proper source and cannot have complied with the contribution rules in section 401(a) of the Internal Revenue Code.”

24. The factual basis for any allegation that SKAT paid monies to any Defendant Pension Plan on the basis of “mistaken understandings of fact” including, without limitation, the identification of the “mistaken understandings of fact” and the factual bases for the allegation that SKAT had a “mistaken understanding that the Defendants had submitted valid claims with supporting documentation.”

**SCHEDULE B**

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
18-cv-04047	The Bradley London Pension Plan	Doston Bradley	Doston Bradley	Syntax GIS	Solo Capital Partners LLP; Old Park Lane Capital PLC
18-cv-04049	The DMR Pension Plan	Doston Bradley	Doston Bradley	Syntax GIS; Acupay System LLC	Old Park Lane Capital PLC
18-cv-04050	The Houston Rocco LLC 401K Plan	Doston Bradley	Doston Bradley	Syntax GIS	Solo Capital Partners LLP; Old Park Lane Capital PLC
18-cv-04051	The Proper Pacific LLC 401K Plan	Doston Bradley	Doston Bradley	Goal TaxBack Limited	Telesto Markets LLP; Old Park Lane Capital PLC
18-cv-04052	The LBR Capital Pension Plan	Doston Bradley	Doston Bradley	Goal TaxBack Limited	West Point Derivatives Ltd; Old Park Lane Capital PLC
18-cv-04430	The Atlantic DHR 401K Plan	Doston Bradley	Doston Bradley	Acupay System LLC	Old Park Lane Capital PLC
18-cv-04434	The Stor Capital Consulting LLC 401K Plan	Michael Ben-Jacob	Michael Ben-Jacob; Robert Klugman	Goal TaxBack Limited	Telesto Markets LLP
18-cv-04522	The Busby Black 401K Plan	Doston Bradley	Doston Bradley	Syntax GIS	West Point Derivatives Ltd
18-cv-04531	The Canada Rock LLC 401K Plan	Doston Bradley	Doston Bradley	Syntax GIS	Old Park Lane Capital PLC
18-cv-04536	The ISDB Pension Plan	Doston Bradley	Doston Bradley	Syntax GIS	West Point Derivatives Ltd
18-cv-04538	The Monin Amper Pension Plan	Doston Bradley	Doston Bradley	Syntax GIS	Solo Capital Partners LLP
18-cv-04541	The NYC Stanismore Pension Plan	Doston Bradley	Doston Bradley	Syntax GIS	West Point Derivatives Ltd
18-cv-04543	The Texas Rocco LLC 401K Plan	Doston Bradley	Doston Bradley	Syntax GIS	Solo Capital Partners LLP
18-cv-04767	Sanford Villa Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Old Park Lane Capital PLC
18-cv-04770	The Aston Advisors LLC 401K Plan	Roger Lehman	Roger Lehman	Syntax GIS	Telesto Markets LLP; Old Park Lane Capital PLC
18-cv-04771	The Sector 230 LLC 401K Plan	Jonathan Godson		Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-04833	Raubritter LLC Pension Plan		Alexander Burns; Richard Markowitz; John van Merkensteijn	Acupay System LLC	Solo Capital Partners LLP
18-cv-04890	The M2F Wellness LLC 401K Plan	Mitchell Protass	Mitchell Protass	Goal TaxBack Limited	Solo Capital Partners LLP

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
18-cv-04892	The MPQ Holdings LLC 401K Plan	Mitchell Protass	Mitchell Protass	Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-04894	Sterling Alpha LLC 401(K) Profit Sharing Plan	John Doscas	John Doscas	Acupay System LLC	ED & F Man Capital Markets Limited; Solo Capital Partners LLP
18-cv-04896	The TKKJ LLC 401K Plan	Thomas Kertelits	Thomas Kertelits	Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-04898	NYCATX LLC Solo 401K Plan	Carl Andrew Vergari	Carl Andrew Vergari	Acupay System LLC	Solo Capital Partners LLP
18-cv-04899	Sander Gerber Pension Plan	John Doscas	Sander Gerber; John Doscas	Acupay System LLC	Solo Capital Partners LLP
18-cv-04900	Ackview Solo 401K Plan	Sean Driscoll	Sean Driscoll	Acupay System LLC	Solo Capital Partners LLP
18-cv-05045	The Dosmon Bly Pension Plan Doston	Doston Bradley	Doston Bradley	Goal TaxBack Limited	Telesto Markets LLP
18-cv-05053	The Goldstein Law Group PC 401(K) Profit Sharing Plan	Sheldon Goldstein	Sheldon Goldstein; Scott Goldstein; Acer Investment Group, LLC	Goal TaxBack Limited	ED & F Man Capital Markets Limited
18-cv-05057	The India Bombay LLC 401K Pension Plan	Doston Bradley	Doston Bradley	Syntax GIS	Telesto Markets LLP
18-cv-05147	The Aria Pension Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	Telesto Markets LLP
18-cv-05150	The Belforte Pension Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	Solo Capital Partners LLP
18-cv-05151	The Bravos Advisors 401K Plan	Roger Lehman	Bradley Crescenzo; Roger Lehman; Gavin Crescenzo	Syntax GIS	Telesto Markets LLP
18-cv-05158	The Costello Advisors Pension Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	West Point Derivatives Ltd
18-cv-05164	The Eskin Pension Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	Old Park Lane Capital PLC
18-cv-05180	The Fieldcrest Pension Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	Telesto Markets LLP
18-cv-05183	The Westport Advisors LLC 401K Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	West Point Derivatives Ltd
18-cv-05185	The Kodiak Capital Pension Plan	Roger Lehman	Bradley Crescenzo; Roger Lehman;	Syntax GIS	Old Park Lane Capital PLC

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
			Gavin Crescenzo		
18-cv-05186	The Kyber Pension Plan	Roger Lehman	Bradley Crescenzo; Roger Lehman; Gavin Crescenzo	Acupay System LLC	Old Park Lane Capital PLC
18-cv-05188	The Lerici Capital Pension Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	Old Park Lane Capital PLC
18-cv-05189	The Ludlow Holdings 401K Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	Solo Capital Partners LLP
18-cv-05190	The Regoletth Pension Plan	Roger Lehman	Bradley Crescenzo; Roger Lehman; Gavin Crescenzo	Syntax GIS	West Point Derivatives Ltd
18-cv-05192	The Saba Capital LLC 401K Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	Telesto Markets LLP
18-cv-05193	The West River Pension Plan	Roger Lehman	Roger Lehman; Gavin Crescenzo	Syntax GIS	West Point Derivatives Ltd
18-cv-05194	The Stark Pension Plan	Roger Lehman	Bradley Crescenzo; Roger Lehman; Gavin Crescenzo	Syntax GIS	Solo Capital Partners LLP
18-cv-05299	The Petkov Partners Pension Plan	Roger Lehman	Svetlin Petkov; Roger Lehman	Syntax GIS	West Point Derivatives Ltd
18-cv-05300	The Petkov Management LLC 401K Plan	Svetlin Petkov	Svetlin Petkov	Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-05305	The SVP 401K Plan	Roger Lehman	Svetlin Petkov; Roger Lehman	Syntax GIS	Telesto Markets LLP
18-cv-05307	The Krabi Holdings LLC 401K Plan	Jonathan Godson	Gavin Crescenzo	Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-05308	The SPKK LLC 401K Plan	Roger Lehman	Svetlin Petkov; Roger Lehman	Syntax GIS	Old Park Lane Capital PLC
18-cv-05309	The KASV Group Pension Plan	Roger Lehman	Svetlin Petkov; Roger Lehman	Goal TaxBack Limited	Old Park Lane Capital PLC
18-cv-05374	Del Mar Asset Management Saving & Retirement Plan	David Freelove	David Freelove	Goal TaxBack Limited	ED & F Man Capital Markets Limited
18-cv-07824	Headsail Manufacturing LLC Roth 401K Plan	Robert Klugman	Robert Klugman; Michael Ben-Jacob	Acupay System LLC	Solo Capital Partners LLP; Old Park Lane Capital PLC
18-cv-07827	Edgepoint Capital LLC Roth 401K	Robert Klugman	Robert Klugman;	Syntax GIS	West Point Derivatives Ltd;

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
	Plan		Michael Ben-Jacob		Old Park Lane Capital PLC
18-cv-07828	Aerovane Logistics LLC Roth 401K Plan	Robert Klugman	Robert Klugman; Michael Ben-Jacob	Goal TaxBack Limited	Old Park Lane Capital PLC
18-cv-07829	The Random Holdings 401K Plan	Robert Klugman	Robert Klugman; Michael Ben-Jacob	Syntax GIS	West Point Derivatives Ltd; Old Park Lane Capital PLC
18-cv-08655	Federated Logistics LLC 401(K) Plan		David Freelove	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-09434	SRH Farms LLC 401(K) Plan	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew; George Hofmeister	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09439	MGH Farms LLC 401(K) Plan	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew; George Hofmeister	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09489	JSH Farms LLC 401(K) Plan	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew; George Hofmeister	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09490	Triton Farms LLC 401(K) Plan	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew; George Hofmeister	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09491	KRH Farms LLC 401(K) Plan	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew; George Hofmeister	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09492	Tew, LP Retirement Plan	Vincent Tew	Vincent Tew	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09494	Tew Enterprises, LLC Retirement Plan	Andrea Tew	Andrea Tew	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09497	Industrial Pensions Group Trust	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew	Global Equities GmbH	ED & F Man Capital Markets Limited; BNP Paribus

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
18-cv-09498	Casting Pensions Group Trust	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew	Global Equities GmbH	ED & F Man Capital Markets Limited; BNP Paribas
18-cv-09505	SV Holdings, LLC Retirement Plan	Stephanie Tew	Stephanie Tew	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09507	Central Technologies Pensions Group Trust	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew	Global Equities GmbH	ED & F Man Capital Markets Limited; BNP Paribas
18-cv-09511	Bluegrass Retirement Group Trust	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew	Global Equities GmbH	ED & F Man Capital Markets Limited; Argon Markets
18-cv-09515	Bluegrass Investment Management, LLC Retirement Plan	Bernard Tew	Bernard Tew	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09549	Autoparts Pensions Group Trust	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew	Global Equities GmbH	ED & F Man Capital Markets Limited; BNP Paribas
18-cv-09552	MSJJ Retirement Group Trust	Bluegrass Investment Management, LLC; Bernard Tew	Bluegrass Investment Management, LLC; Bernard Tew; George Hofmeister	Global Equities GmbH	ED & F Man Capital Markets Limited
18-cv-09565	The 78 Yorktown Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	West Point Derivatives Ltd
18-cv-09570	The Cambridge Town Line Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Solo Capital Partners LLP
18-cv-09587	The Diamond Scott Capital Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Old Park Lane Capital PLC; Telesto Markets LLP
18-cv-09588	The Hotel Fromance Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Old Park Lane Capital PLC
18-cv-09589	The Mountain Air LLC 401K Plan	Roger Lehman	Roger Lehman	Syntax GIS	Solo Capital Partners LLP; Old Park Lane Capital PLC
18-cv-09590	The SKSL LLC Pension Plan	Roger Lehman	Roger Lehman	Goal Taxback Limited	Old Park Lane Capital PLC; Telesto Markets LLP

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
18-cv-09650	The Snow Hill Pension Plan	Roger Lehman	Roger Lehman	Goal Taxback Limited	West Point Derivative Ltd; Old Park Lane Capital PLC
18-cv-09665	The Westridge Ave LLC 401K Plan	Roger Lehman	Roger Lehman	Syntax GIS	Telesto Markets LLP
18-cv-09666	The Shapiro Blue Management LLC 401K Plan	Roger Lehman	Roger Lehman	Acupay System LLC	Old Park Lane Capital PLC
18-cv-09668	The Patrick Partners Conglomerate Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Solo Capital Partners LLP
18-cv-09669	CSCC Capital Pension Plan	Roger Lehman	Roger Lehman	Acupay System LLC	Old Park Lane Capital PLC
18-cv-09797	DW Construction, Inc. Retirement Plan	Stacey Kaminer	Stacey Kaminer; Acer Investment Group, LLC; Darren Wittwer	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-09836	Kamco Investments, Inc. Pension Plan	Stacey Kaminer	Stacey Kaminer; Acer Investment Group, LLC; Louise Kaminer	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-09837	Kamco LP Profit Sharing Pension Plan	Stacey Kaminer	Stacey Kaminer; Acer Investment Group, LLC	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-09838	Linden Associates Defined Benefit Plan	Joan Schulman	Joan Schulman; Acer Investment Group, LLC	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-09839	Moira Associates LLC 401 (K) Plan	Stacey Kaminer	Stacey Kaminer; Acer Investment Group, LLC	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-09840	Riverside Associates Defined Benefit Plan	David Schulman	David Schulman; Acer Investment Group, LLC	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-09841	American Investment Group of New York, L.P. Pension Plan	Stacey Kaminer	Stacey Kaminer; Acer Investment Group, LLC; Robert Crema	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-10028	The Cardinal Consulting Pension Plan	Matthew Tucci	Matthew Tucci	Goal TaxBack Limited	Telesto Markets LLP
18-cv-10030	The Egret Associates LLC 401K Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	West Point Derivatives Ltd
18-cv-10031	The Crow	Matthew Tucci	Matthew Tucci	Syntax GIS	Solo Capital

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
	Associates Pension Plan				Partners LLP
18-cv-10032	The Heron Advisors Pension Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Old Park Lane Capital PLC
18-cv-10035	The Hoboken Advisors LLC 401K Plan	Matthew Tucci	Matthew Tucci	Goal TaxBack	Old Park Lane Capital PLC
18-cv-10036	The Jayfran Blue Pension Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	West Point Derivatives Ltd
18-cv-10039	The JT Health Consulting LLC 401K Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Old Park Lane Capital PLC
18-cv-10049	The Lakeview Advisors 401K Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Old Park Lane Capital PLC; Solo Capital Partners LLP
18-cv-10060	The Osprey Associates LLC 401K Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Solo Capital Partners LLP
18-cv-10061	The Sandpiper Pension Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Telesto Markets LLP
18-cv-10062	The Zen Training LLC 401(K) Plan	Matthew Tucci	Matthew Tucci	Goal TaxBack Limited	Telesto Markets LLP; Old Park Lane Capital PLC
18-cv-10063	The Everything Clean LLC 401K Plan	Matthew Tucci	Matthew Tucci	Acupay System	West Point Derivatives Ltd; Old Park Lane Capital PLC
18-cv-10064	The Jump Group LLC 401K Plan	Matthew Tucci	Matthew Tucci	Acupay System LLC	Old Park Lane Capital PLC; Solo Capital Partners LLP
18-cv-10065	The Oaks Group Pension Plan	Matthew Tucci	Matthew Tucci	Acupay System LLC	Solo Capital Partners LLP
18-cv-10066	The Wave Maven LLC 401K Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Old Park Lane Capital PLC
18-cv-10067	The Balmoral Management LLC 401K Pension Plan	John LaChance	John LaChance	Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-10069	The Beech Tree Partners 401K Plan	Matthew Tucci	Matthew Tucci	Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-10070	The Blackbird 401K Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Old Park Lane Capital PLC
18-cv-10071	The Chambers Property Management LLC 401K Plan	Matthew Tucci	Matthew Tucci	Acupay System LLC	Old Park Lane Capital PLC; Telesto Markets LLP
18-cv-10073	FiftyEightSixty LLC Solo 401K Plan	Matthew Tucci	Matthew Tucci	Acupay System LLC	Solo Capital Partners LLP
18-cv-10074	The Hawk Group	Matthew Tucci	Matthew Tucci	Acupay System	Telesto Markets

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
	Pension Plan			LLC	LLP
18-cv-10076	The Hibiscus Partners LLC 401K Plan	Matthew Tucci	Matthew Tucci	Goal TaxBack Limited	Old Park Lane Capital PLC; Solo Capital Partners LLP
18-cv-10077	The Maple Advisors LLC 401K Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Solo Capital Partners LLP; Telesto Markets LLP
18-cv-10080	OneZeroFive LLC Solo 401K Plan	Matthew Tucci	Matthew Tucci	Acupay System LLC	Solo Capital Partners LLP
18-cv-10082	The Sea Bright Advisors LLC 401K Plan	Matthew Tucci	Matthew Tucci	Goal TaxBack Limited	West Point Derivatives Ltd; Old Park Lane Capital PLC
18-cv-10083	The Tag Realty Advisors LLC 401K Plan	Matthew Tucci	Matthew Tucci	Syntax GIS	Old Park Lane Capital PLC; Solo Capital Partners LLP
18-cv-10086	The Throckmorton Advisors 401K Plan	Matthew Tucci	Matthew Tucci	Acupay System LLC	Solo Capital Partners LLP; West Point Derivatives Ltd
18-cv-10088	Acorn Capital Corporation Employee Profit Sharing Plan; and Acorn Capital Strategies LLC Employee Pension Profit Sharing Plan & Trust	Gregory Summers	Gregory Summers	Acupay System LLC	Solo Capital Partners LLP; ED & F Man Capital Markets Limited
18-cv-10090	Cambridge Way LLC 401K Profit Sharing Plan	Shreepal Shah	Shreepal Shah	Acupay System LLC	ED & F Man Capital Markets Limited
18-cv-10091	The Dink 14 LLC 401K Plan	Jonathan Godson	Vincent Natoli	Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-10092	JML Capital LLC 401K Plan	Roger Lehman	Roger Lehman; John LaChance	Syntax GIS	Old Park Lane Capital PLC
18-cv-10093	Natoli Management Pension Plan	Roger Lehman	Roger Lehman; Vincent Natoli	Syntax GIS	Old Park Lane Capital PLC
18-cv-10094	Nova Fonta Trading LLC 401K Plan	Roger Lehman	Roger Lehman; Vincent Natoli	Syntax GIS	Old Park Lane Capital PLC
18-cv-10095	The Skybax LLC 401K Plan	Jonathan Godson	Bradley Crescenzo	Goal TaxBack Limited	Solo Capital Partners LLP
18-cv-10096	The Robin Daniel Pension Plan	Matthew Tucci	Matthew Tucci	Goal TaxBack Limited	West Point Derivatives Ltd
18-cv-10098	The FWC Capital LLC Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Solo Capital Partners LLP; Old Park Lane Capital

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker-Custodian(s)
					PLC
18-cv-10099	The RDL Consulting Group LLC Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Old Park Lane Capital PLC
18-cv-10100	NewSong Fellowship Church 401(K) Plan	Alexander Jamie Mitchell III	Acer Investment Group, LLC; Alexander Jamie Mitchell III	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-10118	Cole Enterprises USA Retirement Plan Trust	Todd Bergeron	Todd Bergeron; Kevin Kenning	Goal Taxback Limited	Salgado Capital
18-cv-10119	Blackrain Pegasus LLC Solo 401K Plan	Doston Bradley	Doston Bradley	Acupay System LLC	Solo Capital Partners LLP
18-cv-10122	Gyos 23 LLC Solo 401K Plan	Doston Bradley	Doston Bradley	Acupay System LLC	Solo Capital Partners LLP
18-cv-10123	The Oak Tree One 401K Plan	Doston Bradley	Doston Bradley	Goal Taxback Limited	Telesto Markets LLP
18-cv-10124	The Joanne E. Bradley Solo 401K Plan	Doston Bradley	Doston Bradley	Acupay System LLC	Solo Capital Partners LLP
18-cv-10125	Delgado Fox LLC Solo 401K Plan	Doston Bradley	Doston Bradley	Acupay System LLC	Solo Capital Partners LLP
18-cv-10126	Pegasus Fox 23 LLC Solo 401K Plan	Doston Bradley	Doston Bradley	Acupay System LLC	Solo Capital Partners LLP
18-cv-10127	KK Law Firm Retirement Plan Trust	Kevin Kenning	Kevin Kenning	Goal Taxback Limited	ED & F Man Capital Markets Limited; Investec
18-cv-10129	The Valerius LLC Solo 401K Plan	Roger Lehman	Roger Lehman	Goal Taxback Limited	Solo Capital Partners LLP
18-cv-10130	Tveter LLC Pension Plan	Christopher Nowell	Christopher Nowell	Goal Taxback Limited	ED & F Man Capital Markets Limited
18-cv-10133	The Sinclair Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	West Point Derivatives Ltd
18-cv-10134	The Green Group Site Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Solo Capital Partners LLP
18-cv-10135	The Mueller Investments Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Solo Capital Partners LLP
18-cv-10136	The Bella Consultants Pension Plan	Roger Lehman	Roger Lehman	Syntax GIS	Telesto Markets LLP
18-cv-10137	Blue Ocean Equity LLC Retirement Plan Trust	Kevin Kenning	Todd Bergeron; Kevin Kenning	Goal Taxback Limited	Salgado Capital

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19-cv-01867	Avanix Management LLC Roth 401(K) Plan	Richard Markowitz	Richard Markowitz; Michael Ben-Jacob	Acupay System LLC	Solo Capital Partners LLP; Old Park Lane Capital PLC
19-cv-01895	Batavia Capital Pension Plan	“Non-party Authorized Representative”	Richard Markowitz	Acupay System LLC	Solo Capital Partners LLP
19-cv-01904	Calypso Investments Pension Plan	“Non-party Authorized Representative”	Jocelyn Markowitz	Goal Taxback Limited	Solo Capital Partners LLP
19-cv-01869	Cavus Systems LLC Roth 401(K) Plan	Richard Markowitz	Richard Markowitz; Michael Ben-Jacob	Goal Taxback Limited	Telesto Markets LLP
19-cv-01868	Hadron Industries LLC Roth 401(K) Plan	Richard Markowitz	Richard Markowitz; Michael Ben-Jacob	Syntax GIS	West Point Derivatives Ltd; Old Park Lane Capital PLC
19-cv-01898	RJM Capital Pension Plan	“Non-party Authorized Representative”	Richard Markowitz	Goal Taxback Limited	Solo Capital Partners LLP
19-cv-01896	Routt Capital Pension Plan	Richard Markowitz	Richard Markowitz; Michael Ben-Jacob	Acupay System LLC; Syntax GIS	Old Park Lane Capital PLC; Indigo Securities Ltd
19-cv-01906	Michelle Investments Pension Plan	John van Merkensteijn	Richard Markowitz; John van Merkensteijn	Acupay System LLC	Solo Capital Partners LLP
19-cv-01911	Remece Investments LLC Pension Plan	“Non-party Authorized Representative”	Richard Markowitz; John van Merkensteijn	Goal Taxback Limited	Solo Capital Partners LLP
19-cv-01924	Xiphias LLC Pension Plan	John van Merkensteijn	Richard Markowitz; John van Merkensteijn	Acupay System LLC	Solo Capital Partners LLP
19-cv-01893	Azalea Pension Plan	“Non-party Authorized Representative”	Elizabeth van Merkensteijn	Acupay System LLC	Solo Capital Partners LLP
19-cv-01866	Basalt Ventures LLC Roth 401(K) Plan	John van Merkensteijn	John van Merkensteijn; Michael Ben-Jacob	Goal Taxback Limited	Telesto Markets LLP; Old Park Lane Capital PLC
19-cv-01865	Bernina Pension Plan	John van Merkensteijn	John van Merkensteijn	Acupay System LLC	Solo Capital Partners LLP
19-cv-01894	Omineca Pension Plan	Michael Ben-Jacob	John van Merkensteijn; Michael Ben-Jacob	Acupay System LLC; Goal TaxBack Limited	Solo Capital Partners LLP; Old Park Lane Capital PLC
19-cv-01871	Starfish Capital	John van	John van	Syntax GIS	Old Park Lane

Case Number	Plan	Authorized Representative	Other Defendant(s)	Payment Agent(s)	Broker – Custodian(s)
	Management LLC Roth 401(K) Plan	Merkensteijn	Merkensteijn; Michael Ben-Jacob		Capital PLC
19-cv-01930	Tarvos Pension Plan	“Non-party Authorized Representative”	John van Merkensteijn	Goal Taxback Limited	Solo Capital Partners LLP
19-cv-01873	Voojo Productions LLC Roth 401(K) Plan	John van Merkensteijn	John van Merkensteijn; Michael Ben-Jacob	Acupay System LLC	Old Park Lane Capital PLC
19-cv-01785	Albedo Management LLC Roth 401(K) Plan	Michael Ben-Jacob	Joseph Herman; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; Avanix Management LLC	Acupay System LLC	Solo Capital Partners LLP; Old Park Lane Capital PLC
19-cv-01781	Ballast Ventures LLC Roth 401(K) Plan	Michael Ben-Jacob	Joseph Herman; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Cavus Systems LLC	Acupay System LLC	Telesto Markets LLP; Old Park Lane Capital PLC
19-cv-01791	Fairlie Investments LLC Roth 401(K) Plan	Joseph Herman	Joseph Herman; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Hadron Industries LLC	Goal TaxBack Limited	West Point Derivatives Ltd; Old Park Lane Capital PLC
19-cv-01783	Bareroot Capital Investments LLC Roth 401(K) Plan	David Zelman	David Zelman; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Syntax GIS	Telesto Markets LLP; Old Park Lane Capital PLC
19-cv-01794	Battu Holdings LLC Roth 401K Plan	Michael Ben-Jacob	David Zelman; Michael Ben-Jacob; Robert	Acupay System LLC	Solo Capital Partners LLP; Old Park Lane Capital

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			Klugman; John van Merkensteijn; RAK Investment Trust; Omineca Trust		PLC
19-cv-01798	Cantata Industries LLC Roth 401(K) Plan	David Zelman	David Zelman; Michael Ben- Jacob; Robert Klugman; John van Merkensteijn; RAK Investment Trust; Omineca Trust	Goal TaxBack Limited	Old Park Lane Capital PLC
19-cv-01788	Dicot Technologies LLC Roth 401(K) Plan	David Zelman	David Zelman; Michael Ben- Jacob; Robert Klugman; John van Merkensteijn; RAK Investment Trust; Omineca Trust	Syntax GIS	West Point Derivatives Ltd; Old Park Lane Capital PLC
19-cv-01918	Vanderlee Technologies Pension Plan	Michael Ben- Jacob	Vanderlee Technologies Pension Plan Trust; David Zelman; Michael Ben- Jacob; Robert Klugman; John van Merkensteijn; RAK Investment Trust; Omineca Trust	Acupay System LLC; Goal TaxBack Limited	Solo Capital Partners LLP; Old Park Lane Capital PLC
19-cv-01922	Cedar Hill Capital Investments LLC Roth 401(K) Plan	Edwin Miller	Edwin Miller; Michael Ben- Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Goal TaxBack Limited	Old Park Lane Capital PLC
19-cv-01928	Fulcrum Productions LLC Roth 401(K) Plan	Edwin Miller	Edwin Miller; Michael Ben- Jacob; Robert Klugman;	Syntax GIS	Telesto Markets LLP; Old Park Lane Capital PLC

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			John van Merkenstein; RAK Investment Trust; Omineca Trust		
19-cv-01926	Green Scale Management LLC Roth 401(K) Plan	Michael Ben-Jacob	Edwin Miller; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Acupay System LLC	Solo Capital Partners LLP; Old Park Lane Capital PLC
19-cv-01929	Keystone Technologies LLC Roth 401(K) Plan	Edwin Miller	Edwin Miller; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Goal TaxBack Limited	Old Park Lane Capital PLC
19-cv-01931	Tumba Systems LLC Roth 401(K) Plan	Edwin Miller	Edwin Miller; Michael Ben-Jacob; Robert Klugman; John van Merkenstein; RAK Investment Trust; Omineca Trust	Syntax GIS	West Point Derivatives Ltd; Old Park Lane Capital PLC
19-cv-01800	Crucible Ventures LLC Roth 401(K) Plan	Ronald Altbach	Ronald Altbach; Michael Ben-Jacob; Robert Klugman; John van Merkenstein; RAK Investment Trust; Omineca Trust	Goal TaxBack Limited	Old Park Lane Capital PLC
19-cv-01803	Limelight Global Productions LLC Roth 401(K) Plan	Ronald Altbach	Ronald Altbach; Michael Ben-Jacob; Robert Klugman; John van Merkenstein; RAK	Syntax GIS	Telesto Markets LLP; Old Park Lane Capital PLC

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			Investment Trust; Omineca Trust		
19-cv-01809	Plumrose Industries LLC Roth 401K Plan	Michael Ben-Jacob	Ronald Altbach; Michael Ben-Jacob; Robert Klugman; John van Merkensteijn; RAK Investment Trust; Omineca Trust	Acupay System LLC	Old Park Lane Capital PLC
19-cv-01812	Roadcraft Technologies LLC Roth 401(K) Plan	Ronald Altbach	Ronald Altbach; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Goal TaxBack Limited	Solo Capital Partners LLP; Old Park Lane Capital PLC
19-cv-01818	True Wind Investments LLC Roth 401(K) Plan	Ronald Altbach	Ronald Altbach; Michael Ben-Jacob; Robert Klugman; John van Merkensteijn; RAK Investment Trust; Omineca Trust	Syntax GIS	West Point Derivatives Ltd; Old Park Lane Capital PLC
19-cv-01870	Eclouge Industry LLC Roth 401(K) Plan	Perry Lerner	Perry Lerner; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Goal TaxBack Limited	Old Park Lane Capital PLC
19-cv-01792	First Ascent Worldwide LLC Roth 401(K) Plan	Perry Lerner	Perry Lerner; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt	Syntax GIS	Telesto Markets LLP; Old Park Lane Capital PLC

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			Capital Trust		
19-cv-01806	Loggerhead Services LLC Roth 401(K) Plan	Michael Ben-Jacob	Perry Lerner; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Acupay System LLC	Solo Capital Partners LLP; Old Park Lane Capital PLC
19-cv-01808	PAB Facilities Global LLC Roth 401(K) Plan	Perry Lerner	Perry Lerner; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Goal TaxBack Limited	Old Park Lane Capital PLC
19-cv-01815	Trailing Edge Productions LLC Roth 401(K) Plan	Perry Lerner	Perry Lerner; Michael Ben-Jacob; Robert Klugman; Richard Markowitz; RAK Investment Trust; Routt Capital Trust	Syntax GIS	West Point Derivatives Ltd; Old Park Lane Capital PLC
19-cv-01801	Monomer Industries LLC Roth 401(K) Plan	Robin Jones	Robin Jones; Michael Ben-Jacob; Robert Klugman; John van Merkensteijn; RAK Investment Trust; Omineca Trust	Goal TaxBack Limited	Old Park Lane Capital PLC
19-cv-01810	Pinax Holdings LLC Roth 401(K) Plan	Robin Jones	Robin Jones; Michael Ben-Jacob; Robert Klugman; John van Merkensteijn; RAK Investment Trust; Omineca Trust	Syntax GIS	Telesto Markets LLP; Old Park Lane Capital PLC
19-cv-01813	Sternway Logistics LLC Roth 401(K) Plan	Robin Jones	Robin Jones; Michael Ben-Jacob; Robert Klugman;	Syntax GIS	West Point Derivatives Ltd; Old Park Lane Capital PLC

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			John van Merkensteijn; RAK Investment Trust; Omineca Trust		
19-cv-10713	2321Capital Pension Plan; Bowline Management Pension Plan; California Catalog Company Pension Plan; Clove Pension Plan; DFL Investments Pension Plan; Davin Investments Pension Plan; Delvian LLC Pension Plan; Laegeler Asset Management Pension Plan; Lion Advisory Inc. Pension Plan; Mill River Capital Management Pension Plan; Next Level Pension Plan; Rajan Investments LLC Pension Plan; Spirit on the Water Pension Plan; Traden Investments Pension Plan		Richard Markowitz; John van Merkensteijn; Bernina Pension Plan Trust; RJM Capital Pension Plan Trust	Acupay System LLC; Goal TaxBack Limited	Solo Capital Partners LLP

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on November 13, 2020, he caused a true copy of the foregoing to be served upon the following parties via electronic mail:

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Hughes Hubbard & Reed LLP  
One Battery Park Plaza  
New York, NY 10004

*Counsel for Plaintiff SKAT*

Dated: November 13, 2020

S/ Mark D. Allison

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